

JAFFE & ASHER LLP
ATTORNEYS AT LAW

PLEASE REPLY TO NEW YORK OFFICE

600 THIRD AVENUE
NEW YORK, NY 10016-1901
(212) 687-3000
(212) 687-9639 (FAX)

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NEW JERSEY OFFICE

1107 GOFFLE ROAD
HAWTHORNE, NJ 07507-0508
(973) 423-3988
(973) 423-6174 (FAX)

VIA FACSIMILE ONLY (212) 805-6737

Hon. George B. Daniels
United States Courthouse
500 Pearl Street, Room 630
New York, New York 10007

September 27, 2007

SO ORDERED

The conference is adjourned to
October 18, 2007 at 9:30 a.m.
SEP 28 2007

George B. Daniels
HON. GEORGE B. DANIELS

Re: Nephty Cruz et. al v. Pinnacle Managing Co., LLC, et. al; 07-cv-6391

Dear Judge Daniels:

We represent the defendants in the above matter. We write this letter to request an adjournment of the Initial Pretrial Conference scheduled for October 10, 2007 until the following week.

Defendants first learned of this matter on or around August 27, 2007, and only recently entered into a Stipulation with plaintiffs extending their time to move, answer, or otherwise plead with respect to the Complaint through October 15, 2007. The parties also agreed to schedule an audit of the defendants' books and records on or before October 15, 2007, or as soon thereafter as the parties' and/or their auditors' schedules permit.

Lead counsel for this matter will be in Washington, D.C. on October 10-12, and is unable to attend the conference. We contacted counsel for plaintiffs with respect to this request for an adjournment, however, they have refused to consent to it.


We believe that counsel will be better prepared to address the factual and legal bases for their claims and defenses, as provided in Your Honor's letter scheduling the Initial Pretrial Conference, after defendants have had an opportunity to file a responsive pleading and the audit of defendants' books and records takes place.

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In light of the foregoing, we respectfully request an adjournment of the Initial Pretrial Conference in the above matter.

Very truly yours,

Jaffe & Asher LLP

By: 
Krishna J. Shah, Esq.

KJS:ks

Cc: Kellie Walker (via fax only)